

**CYNDEE L. PETERSON**  
**Assistant U.S. Attorney**  
**U.S. Attorney's Office**  
**P.O. Box 8329**  
**Missoula, MT 59807**  
**Phone: (406) 542-8851**  
**FAX: (406) 542-1476**  
**Email: Cyndee.Peterson@usdoj.gov**

**ATTORNEY FOR PLAINTIFF**  
**UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**GREAT FALLS DIVISION**

<b>UNITED STATES OF AMERICA,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>JAYCOB TYLER KUTZERA,</b>  <b>Defendant.</b>	<b>CR 17-48-GF-BMM</b>  <b>UNOPPOSED MOTION</b> <b>TO DISMISS COUNT 32</b>
--	---

The United States hereby moves the Court to dismiss Count 32 of the Indictment herein. Federal Rules of Criminal Procedure provides that the government may move to dismiss an indictment, or here a count in the indictment, with leave of the Court. Fed. R. Crim. Proc. Rule 48(a). Counsel for the Defendant was contacted, and the defendant does not oppose this motion.

DATED this 16th day of February, 2018.

KURT G. ALME  
United States Attorney

/s/ Cyndee L. Peterson  
Assistant U.S. Attorney  
Attorney for the Plaintiff

### CERTIFICATE OF SERVICE

I hereby certify that on 2/16/18, a copy of the foregoing document was served on the following persons by the following means:

- (1) CM/ECF
- ( ) Hand Delivery
- ( ) U.S. Mail
- ( ) Overnight Delivery Service
- ( ) Fax
- ( ) E-Mail

- 1) Evangelo Arvanetes  
Attorney for defendant Kutzera

/s/ Cyndee L. Peterson  
Assistant U.S. Attorney  
Attorney for Plaintiff